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PTO/SB/30 (01-03)

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For
Continued Examination (RCE)
Transmittal**Address to:
Commissioner for Patents
Box RCE
Washington, DC 20231

Application Number	09/478,299
Filing Date	January 5, 2000
First Named Inventor	John L. Schenk
Art Unit	1654
Examiner Name	M. Meller
Attorney Docket Number	XY Frozen RCE

TECH CENTER 1600/2900

FEB 24 2003

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This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.**1. Submission required under 37 CFR 1.114**a. ☐ Previously submittedi. ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).ii. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____iii. ☐ Other _____b. ☒ Enclosedi. ☒ Amendment/Replyiii. ☒ Information Disclosure Citationii. ☐ Affidavit(s)/ Declaration(s)iv. ☐ Other _____**2. Miscellaneous**a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)b. ☐ Other _____**3. Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a. ☐ Deposit Account No. _____i. ☒ RCE fee required under 37 CFR 1.17(e)

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ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

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375.00 OP

iii. ☐ Other _____b. ☒ Check in the amount of \$ 375.00 _____ enclosedc. ☐ Payment by credit card (Form PTO-2038 enclosed)**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.****SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Craig R. Miles	Registration No. (Attorney/Agent)	45,954
Signature	<i>Craig R. Miles</i>	Date	February 18, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Cheryl A. Swanson	Date	February 18, 2003
Signature	<i>Cheryl A. Swanson</i>		

Page 1 of 2

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Box RCE, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



Attorney Docket: XY Frozen RCE
Express Mail No: EV 168806490 US

IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE

n Re the Application of: John L. Schenk

Serial Number: 09/478,299

Filed: January 5, 2000

Parent Title: Method of Cryopreserving Selected Sperm Cells

Group Art Unit: 1654

Examiner: M. Meller

Assignee: XY, Inc.

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CERTIFICATE OF EXPRESS MAILING

I, Cheryl A. Swanson, hereby certify to the truth of the following items:

1. I am an employee of Santangelo Law Offices, P.C., 125 South Howes, Third Floor, Fort Collins, Colorado 80521.
2. I have this day deposited the attached a Request for Continued Examination under 37 C.F.R. §1.114, (RCE) Transmittal form PTO/SB/30 with the United States Postal Service as Express Mail, postage prepaid, for mailing to: Box RCE Commissioner for Patents, Washington, D.C. 20231.

Dated this 18 day of February, 2003.

Cheryl A. Swanson
Cheryl A. Swanson



02-20-03

RCE/1600 #

Attorney Docket: XY Frozen RCE
Express Mail No: EV 168806490 US

IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE

n Re the Application of: John L. Schenk
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Examiner: M. Meller
Assignee: XY, Inc.

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LETTER OF TRANSMITTAL

To: The Commissioner of Patents and Trademarks
BOX RCE
Washington, D.C. 20231

Dear Sir:

Enclosed for filing are the following documents:

1. a Request for Continued Examination under 37 C.F.R. §1.114, (RCE) Transmittal form PTO/SB/30;
2. a Submission Under 37 C.F.R. §1.114 including an amendment and remarks along with Exhibits A, B, and C;
3. an Information Disclosure Citation;
4. this Letter of Transmittal along with a check in the amount of \$375.00 for the RCE fee
5. Certificates of Express Mailing for the above documents and a postcard receipt for return to the undersigned.

Please address all future correspondence to: Santangelo Law Offices, P.C., 125 South Howes, Third Floor, Fort Collins, CO 80521.

Please confirm receipt of the documents by applying your date stamp on the enclosed postcard and returning it to me.

I have this 18 day of February 2003, either myself personally or through my direction of staff at this office, deposited all of the items in the above letter of transmittal with the United States Postal Service as Express Mail, postage prepaid, in an envelope addressed to: Commissioner of Patents and Trademarks, BOX RCE, Washington, D.C. 20231.

Dated this 18 day of February, 2003.

Respectfully submitted,
SANTANGELO LAW OFFICES, P.C.

By:


Craig R. Miles

ATTORNEY FOR APPLICANT
USPTO Reg. No. 45,954
125 South Howes, Third Floor
Fort Collins, Colorado 80521
(970) 224-3100

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